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CHURCH UNION

Speeches

DELIVERED IN

THE UNITED FREE CHURCH GENERAL ASSEMBLY

ON 25th MAY 1928

BY

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DR DRUMMOND'S SPEECH

LET me at the outset say this. To appreciate this Report it is imperative to understand the atmosphere of brotherliness and goodwill in which all the work has been carried on. There have been delicate and difficult situations to face and to deal with. That is true both in dealing with matters in conference with the Committee of the Church of Scotland and also within our own ranks. But no jarring note was heard. It is the mutual forbearance, appreciation and goodwill that prevailed which have brought us where we are to-day.

ESSENTIALS TO UNION

And where are we? To fix our latitude and longitude we need to go back to the beginning of our negotiations for union with the Church of Scotland, to which there is a reference in the Report. When we entered on negotiations in unrestricted conference with that Church, we not only emphasised the matters referred to in the note on page 31, but in the course of these preliminary discussions we made it clear, on our side, that for union to be achieved two things were essential. One was that the united Church must be quite free from State control in Government, Doctrine, Worship and Discipline. Whatever might be the relation between the Church and the State, the State must recognise that the Church did not owe its existence or its rights to the fiat of the State, but to Christ alone, and that this recognition was not claimed as the privilege of any one Church, but was the right of all. This must be placed beyond dispute. The other essential was that the property of the Church should be as truly her own and as completely under her control as is the property of our Church. These were

the matters which in our eyes were paramount. These were the essentials of what we had long contended for under the names of Disestablishment and Disendowment: if the essentials can be secured, I am not anxious about names. But in conference, when we began to discuss things with the Church of Scotland in reference to these matters, we found them more than willing to meet us. So long as the principle of the duty of the national recognition of religion was not sacrificed, they were ready to go all the way to remove everything in their existing relation with the State which prejudiced these supreme interests. We do less than justice to our brethren if that readiness to meet us is not clearly remembered and frankly acknowledged. That is practically where we were in 1912, and if it had not been for the four weary years of war and then parliamentary delays, we might have been one Church years ago. At the long and last of it, the result was the legislation of 1921 and 1925, and the way was open for planning a union.

UNITING ACT AND PLAN OF UNION

After detailing the way in which the Committees had proceeded in preparing a Uniting Act and Plan of Union, Dr Drummond continued: It might have seemed sufficient that these should now have been disposed of by the Assembly and the Uniting Act and Plan sent down under overtures to Presbyteries for the final Yea or Nay of congregations, sessions and Presbyteries. But the proposal of the Committee is that the Assembly should here and now declare that the time has come when it is the duty of our Church to unite with the Church of Scotland. At the same time, lest any details should have escaped notice in the Uniting Act and Plan of Union, six months should still be given for final scrutiny of them by Presbyteries to enable them to send in suggestions should they see fit to make them. Returns should be sent in by the end of September, and the Basis and Plan

be sent down as overtures from an adjourned meeting of Assembly to be held on the 21st of November.

So far of your Committee's activities in reference to the chief matter remitted to it by last Assembly.

ENDEAVOURS TO MEET MINORITY DIFFICULTIES

But another remit was of scarcely less importance. That was the remit to endeavour to meet the still outstanding difficulties of some of our own number. To this the Committee addressed itself with the greatest solicitousness. The bonds of respect and affection were too strong to let men think of the possibility of cleavage without profound sorrow and keen pain. No demands on time or effort were regarded as excessive, if a satisfactory result could be attained. The brethren who still had their difficulties and misgivings were as anxious to find a way out as the rest. And it is matter of real thankfulness to God that in the case of a large number a way has been found by which, without compromise of principle and with a good conscience, they now see their way to enter the union when it takes place.

Two difficulties had to be overcome. The one was the unwillingness of some to participate in any way in funds for ministerial support derived from what were formerly the tithes, but which are now, by the Act of 1925, entirely withdrawn from the control of the State, and viewed by the State as the Church's own patrimony. Various methods were suggested, and finally one was selected which was submitted to the Presbyteries of our Church, met with general approval there, and is now embodied in the Plan of Union. By it, congregations which have such difficulties may dissociate themselves from any share in the funds referred to. The details are well known, and need not detain us.

The other difficulty was the fear that under the Act of Union there lurked somewhere the danger of the Church being committed to holding as an Article of

religious belief and Obligation that it is the right and duty of the State to maintain and support an Establishment of religion. In the endeavour to meet this difficulty a course was followed which had all along been in view for another reason.

CONSULTATION OF COUNSEL

It had always been recognised that all possible steps should be taken to obviate a repetition of 1904—a possibility the thought of which was repudiated by representatives of the Minority as vigorously as by anyone. The best legal opinion, it was recognised, must sooner or later be obtained as to the sufficiency of the Uniting Act to carry the United Free Church of Scotland into the Union without imperilling its identity or sacrificing its whole rights and property. With the ready assent of the Minority, it was felt that the time had now come to consult counsel. The Law Committee of the Church was called in for advice. The Right Hon. H. P. Macmillan, K.C., and Mr Oswald Dykes, K.C., Professor of Law in the University of Edinburgh—men than whom none better could be suggested at once from their eminence in their profession and their understanding of the matters at issue—were approached. The divergent views were put before them, by memorial and in personal interview, both by the Conveners and Clerk of your Committee and the law agents of the Church and by representatives of the Minority, assisted by a law agent. The general question was this: “Would the Draft Uniting Act and Basis of Union, if duly passed by the two Churches, legally effect the Union of the United Free Church of Scotland and the Church of Scotland, and would the United Free Church, by uniting with the Church of Scotland under the said Act, carry with it into the union its whole rights and property?” The answer of counsel was in the affirmative. They said that it would do so.

DOCTRINAL POSITION OF THE CHURCHES
IDENTICAL

The grounds on which they based their opinion were set forth in a statement of great weight and lucidity, which has been circulated to the whole membership of the Church, which I am sure is familiar to you all, and on which I forbear to enlarge. I have heard people demur to having simplicity simplified. You would demur to having lucidity elucidated. The result might be darkness with excess of light! I simply make two references to it. The one refers to the liberty of the Church in the matter of doctrine. Counsel recognise that "the doctrinal position of the United Free Church of Scotland as expressed in the Act anent Spiritual Independence is not in terms identical with the Articles Declaratory of the Constitution of the Church of Scotland in matters spiritual." But they make clear that there is no material distinction between them. Both alike have the same permanent substratum, the same nucleus of fundamental doctrine, namely, the doctrines of Protestantism and Trinitarianism, and without some nucleus a competent trust cannot exist in the eyes of the law. What is explicit in the Articles of the one is implicit in the Act of the other. Departure from these by either of the Churches would be equally a breach of trust in the eye of the law. The Declaratory Articles do not bind the Church more strictly than does our own Act.

CHURCH AND STATE

Counsel are equally explicit on the question of the relation of the Church to the State. They point out that the Articles Declaratory nowhere declare that it is an article of faith of the Church of Scotland that the State has the right and duty to support an establishment of religion. Still further, by the Act of 1925, the Church

of Scotland "now holds its patrimonial rights in entire independence of the State. It has no right to make any claim upon the State for support or maintenance, and the State no longer recognises any patrimonial obligations towards the Church other than the obligation which the State equally recognises towards the property of the United Free Church, viz. the obligation to provide Courts of Law in which the rights of property of all its citizens may be duly enforced." They pointedly add: "If it be still an article of faith with the Church of Scotland that it is the right and duty of the State to support an establishment of religion, it is remarkable that the Church, with the approval of the State, should have taken the most drastic steps to absolve the State from any further responsibility in the matter."

NO OBSTACLE TO UNION

They recognise, indeed, that there are still what they call vestiges of establishment, but consider that they are so insignificant as to offer no valid obstacle to union.

At the same time, counsel offer their advice as to how to make assurance doubly sure. Nothing, they say, would be final but an Act of Parliament, but they do not regard that as necessary. It would involve delay. It might lead to complications which would be distasteful to all concerned. Above all, it would be repugnant to the sentiment of the whole Church, making it appear as if in this great spiritual movement we were to be controlled by civil authority. On the other hand, they advised that the Church should exercise its inherent right of declaring its constitution and laws. It should prepare a declaration, to be passed under the Barrier Act, setting forth that there is in the relations of the Church of Scotland to the State nothing which is inconsistent with the constitution and principles of the United Free Church of Scotland.

SAFEGUARDING DECLARATION ¹

This opinion of counsel was most reassuring, and it was resolved to follow their advice and prepare such a declaration. In the course of doing so the way opened up for framing it in such terms as would not only serve its immediate purpose, but would set forth the position of the United Free Church in entering the union in a way that would remove the difficulties of many of the Minority. In this effort the Committee had the whole-hearted assistance of members of the Minority. After repeated attempts, it took the form in which it now appears, which it is hoped will commend itself to the whole membership of the Church. The grounds on which they adhere to it are clearly set forth by members of the Minority in the Statement which is appended to the Report. The Declaration, it is stated, is made in view of the following points:—(1) The principles of spiritual freedom and the well-known position of our Church as to any branch of the Church being placed in a position of privilege by enactment of the State; (2) the changes effected in the constitution and relation to the State of the Church of Scotland by the Acts of 1921 and 1925, and in particular that it is not an article of religious belief and obligation in the Church of Scotland that it is the right and duty of the State to maintain and support an establishment of religion; and (3) any special relations of the Church of Scotland with the State still remaining are not among the essentials of the Church. It is proposed that it should now be sent down as an overture to the Presbyteries under the Barrier Act, and, if approved by them, take its place among the authoritative documents of our Church.

¹ See p. 31.

MEMORIALS FOR DELAY

Some, unfortunately, are still unsatisfied, and their position is stated in the Minority Report. Is it too much to hope that during the six months which will elapse between this and the proposed adjourned meeting of Assembly even their difficulties may disappear? Memorials have been sent in to the Assembly asking for delay to secure such a result. These memorials, I would remark, though numerously signed, yet represent the mind of but three per cent. of the membership of the Church. Further, most of them, if not all, were signed before the appearance of the Declaration which has removed the difficulties of so many. And all they ask for is postponement or delay. Here is delay, and any feasible suggestions as to how their case may be met will assuredly receive full consideration. But may I make an appeal to these brethren? We all know them for devoted members of the Church. We would grieve to part from them. Need that take place?

APPEAL TO THOSE UNSATISFIED

What is it that hinders? Is it the vestiges of establishment, as they have been called? Vestiges? What are vestiges? They are simply remains which show what has been, not what is! There are organs, biologists tell us, in the human frame which are useless and only remind us of a remote relation between man and the lower animals in which these organs have value. But do these vestiges of creation say that men have not emerged from the level of the brutes? Does the grizzled tip of many human ears, for instance, proclaim man to be still an ape? So of vestiges of establishment. But even if vestiges of establishment there be, the establishment is a very different thing from the "ae face of kirk" established by law and alone treated as a Church in the land. That is gone—and gone for ever. Elements of establishment

there may be in ancient statutes unrepealed. But I would recall what Dr John Young said with regard to them on the floor of the Assembly in 1920. After reminding the court of what these Acts were, some of them protections of the Church from the assaults of an absolute monarch, some to restrict its freedom, he said: "They must be repealed" (and let me say they are repealed by the first clause of the Act, 1921) "in so far as they bound, restricted or controlled the Church in the exercise of her rights, powers and liberty under Christ," but "they might safely remain in so far as they protected the Church from the intrusion of the Crown and Parliament in her government, and upheld the claim of right of the Scottish people—1689 and 1702—that religion in Scotland must be free from English and foreign interference." So Dr Young. More than that: let me remind you of a remarkable utterance of that redoubtable protagonist of disestablishment and disendowment, the late Dr George Hutton. All know what a fighter he was, but he could also be debonair and conciliatory. Speaking at a great Jubilee Meeting of the United Presbyterian Church in 1897, he recalled what that Church stood for. But a great Free Churchman was there, and union was in the air, and he would say nothing to queer the pitch. So he added: "If accepting and acting these any Christian brother should think he also holds the establishment principle in some form of rarified generality, I shall be content that we leave each other to the arbitrament of the laws of thought. And it must always be our joy, as it is our necessity in this illogical world to take to our hearts and fellowships many a brother beloved with a halting syllogism." I appeal from Hutton pugnacious to Hutton conciliatory. Surely there is the spirit in which we may rise on the flood-tide of love above the rocks and snags that would wreck our vessel.

COULD CONTINUED SEPARATION JUSTIFY ITSELF?

Brethren, were we not to unite, let me solemnly ask what would our Church really stand for? Union does not need to justify itself. It is what ought to be. It is separation that requires to justify itself. Can it do it on mere vestiges of establishment and a debatable method of Church finance? The thing is impossible. The Churches which we represent—the Secession, the Relief, the Free Church—none of them at their outset were aggrieved at establishment or endowment. They were only agrieved at the intrusion of the State into the Church's peculiar province. They regarded the loss of church and manse and stipend as a hardship and a sacrifice. If we now regard things in a very different light, we must remember that we have been taught in the hard school of experience. We never knew till we had to try what a treasure-house there was in the regular freewill offerings of the people. Dr Chalmers found that out, though he did not realise the meaning of his discovery when he started his great Church extension scheme within the Church of Scotland, long before the Disruption. For all her *quoad sacra* churches, for all her mission work at home and abroad, the Church of Scotland to-day has nothing else to draw upon. If we unite, less than one-eighth of the Church's annual income will be drawn from any other source than the freewill offerings of the people. Surely we will not allow this fraction to keep us asunder. Even under an Act of Disestablishment would there not have been a similar fraction? Surely there is room here for give and take, and that all the more readily, that under Declaration 5 of the Uniting Act men may, if they will, in the united Church, endeavour even to cancel the fraction.

ASSURANCE TO THOSE UNSATISFIED

If brethren still find the way blocked, and if after still further efforts they can suggest no feasible way of coming in, then let me say this: There will be no cessation of brotherly love towards them. Ways will be devised that they may be equitably dealt with, and no legitimate interests will be sacrificed. While I say so, I hope and pray that it will never be necessary, but true to the best union traditions of the Church, the union traditions of the Relief and the United Presbyterian Church, the United Free Church will enter the union an unbroken body.

WORLD-WIDE SIGNIFICANCE OF OUR UNION

I wonder if we realise how momentous and significant our doings here in Scotland are. The question of the proper relation of Church and State is of age-long continuance. It was the standing subject of dispute between the Papacy and the Holy Roman Empire. It assumed a variety of forms on the rise of independent kingdoms and at the time of the Reformation. On the Continent of Europe to-day, with the change in Germany and Austria from Empire to a crop of republics, the matter has arisen afresh. The Protestants of Germany are viewing with grave concern the concordats into which Rome is entering with Bavaria, Latvia and Austria, lest these establish precedents which may load the scales to the prejudice of Protestantism. Ecclesiastical politicians are anxiously considering how matters should be arranged. They are hoping for light from the result of our plan in Scotland to set amicably side by side a free State and a Church recognised by it as national and free. England, amid her perplexing experiences, is eagerly considering the Scottish situation, for, as Lord Hugh Cecil said of the Church of Scotland Act, 1921: "It harmonises with a definiteness and completeness for

which, I think, no parallel in Christian history is to be found, the national recognition of religion with the spiritual freedom of the Church." Considerations such as these should give us pause from any step which might rob our great movement of its world-wide value.

THE CALL OF THE CHURCHLESS

Yet all this, while fitted to make us sensible of the far-reaching importance of what we do is still secondary to what gives the cause of union its chief value in our own eyes. It is the call of the churchless. It is the spiritual needs, the religious needs, of our own land. This has been reiterated so often that men are ceasing to realise how urgent it is. It was this that put urge and drive into the movement, when for a moment in the early stages it seemed to flag. It is this that presses with increased force on all who feel the responsibility of coping with the mission problem of our land. Let men feel it, and every lingering doubt sinks out of sight before it. The plethora of agencies where they are least needed, the paucity of the provision where the demand is clamant, are writ large over every Home Mission and Church Extension Report. Here, city clearances of slums plant throngs of people who have been living under conditions which made them apathetic to religion, in new quarters, where there is no religious provision for them. Growing suburbs have speedily shops and schools and halls and cinemas, everything but churches and the ministry and the means of grace. It is the experience that we cannot meet this adequately while we are separate, and the conviction that united we can achieve it that impels towards union. It is as united that the Churches hope that they will be able most effectively to honour their Lord's Commission and shepherd the wandering sheep of the house of our Israel. It is thus they feel they will build up such a vital and consecrated people at home as will be able to maintain our Church's missionary

character and efficiency, and let it play a worthier part than ever in carrying out the Lord's command, "Go ye into all the world and preach the gospel to every creature."

There is an Old Testament text which says: "I will lead the blind by a way they know not." This is not the way by which many of our fathers thought a reunited Church of Scotland might be reached. But were they to rise from their graves of well-meant but unsuccessful attempts, would it not be a solace and inspiration, if groping among the tombstones of buried hopes, strewn thick with the rank growths of disappointment, overlapping, competition and rivalry, they should hear a voice say: He is not here; He is risen. Christ is come again to Scotland, and you will find Him in the serried ranks of a reunited Church, "clear as the sun, fair as the moon, and terrible as an army with banners," massed and arrayed for the triumph of the evangel in the clouded regions at home and the heathen darkness of the regions beyond.

MR RENWICK'S SPEECH

MODERATOR, fathers and brethren, it is no easy task for me to second the adoption of this Report, but I do so, duty constraining me. In the time at my disposal I shall confine myself to certain points in the Report, and I shall speak from the standpoint of a signatory to the "Statement by certain members of the Committee."¹

Under instructions from last Assembly, the Conference Committee took up certain suggestions which had been made, and pursued them with patience and diligence during the year.

¹ See page 9 above.

PROVISIONAL PROPOSALS

The first result was the incorporating, in the Plan of Union, the Provisional Proposals for the Maintenance of the Ministry. In view of the fact that the Act of 1925 is law and that there is no proposal within the region of organised politics to amend it, and in view of the other fact that there are congregations in our Church whose objection to that Act lies in conscience, the question was how to bridge the financial arrangements in the Plan of Union and enable congregations to enter the united Church without hurt to conscience. These Provisional Proposals, while far from being wholly satisfactory, do preserve the principle whereby congregations can choose, and have their choice registered and acted upon, that they believe in and rely upon the New Testament principle of self-support. Instead of this voluntary principle being concealed or surrendered or buried in the united Church, I see a new day of activity opening up for it. If the Church is to attain her ideal of ministerial stipend and provide ordinances for the spiritually-famished districts of Scotland, then she will require to practice more than ever this health-giving and wealth-giving principle. Congregations, to whom the financial settlement under the 1925 Act is unacceptable, should avail themselves of the Provisional Proposals, and in due time register their decision.

CONSULTATION OF COUNSEL

The second suggestion dealt with the question of consulting counsel. It was originally proposed to submit questions of the interpretation of the constitutions and legal status of the two uniting Churches to counsel for a reasoned Opinion, but that was departed from. The Committee then resolved to consult counsel whether the Draft Act of Union would legally effect the Union, and enable the U.F. Church to carry its identity and

property into the Union. In giving an Opinion upon validity, identity and property, counsel had to deal with principles ; and it was thought that, thereby, some fresh light might be shed upon the questions of principle at issue between majority and minority. In addition to that some minority members, with the help of a law agent, had the privilege of making a representation to counsel upon these questions of principle. In their Opinion counsel have kept in view the queries put to them from the side of the minority, and an answer can be deduced from the opinion upon first, doctrinal freedom ; second, the relation of the Church of Scotland to the State ; and third, special statutory privileges.

The minority members who advocated consulting counsel gave no pledge that they would accept the Opinion of counsel. On the other hand, consultation of counsel would have been futile if the conclusions of counsel had been decided before the consultation began. These members hoped that the Opinion so gained would throw fresh light upon certain aspects of the whole controversy, and so they held themselves free to rethink the situation in the light of what counsel should put on record.

The two points in that Opinion upon which I desire to comment are, *first*, the freedom of the two Churches under their separate constitutions ; and *secondly*, that of the Draft Declaration.

FREEDOM

First, upon Freedom. Counsel examine the position of the United Free Church under the Act anent Spiritual Independence, 1906, and that of the Church of Scotland under the Act of 1921, with the adopted Articles ; and they come to the conclusion that the doctrinal position of the United Free Church, although not in terms identical, is in substance the same as the doctrinal position of the Church of Scotland. Further, counsel

declare that this 1906 Act of the United Free Church and the Articles of the Church of Scotland are of equal validity in the Basis of Union. That means that the freedom at present possessed by the United Free Church, under the Act of 1906 and her two Declaratory Acts, will still be possessed in the united Church, and that there will be the amplest freedom to preach the fullest New Testament gospel.

DRAFT DECLARATION ¹

Now for the Draft Declaration. This Declaration is designed to fulfil a twofold purpose, to minimise the risk of the validity of the proposed union being successfully challenged, and to be a reaffirmation of the particular principles for which our Church has contended. We acknowledge with frank cordiality that, in order to meet the views of Minority men, the Declaration takes its present form in the Report rather than that suggested in counsels' Opinion. While the Opinion of counsel is valuable, this Declaration is more valuable. Permit a word on its construction.

First comes a reaffirmation of the two principles of spiritual freedom and religious equality. We have defined religious equality as meaning that no branch of the Church of Christ is placed in a position of privilege by enactment of the State. Religious equality, with us, has always stood for equality of status before the law of the nation. We still love that principle and adhere to it firmly; and it is because the Church of Scotland has come very fully, if not absolutely, on to that site of religious equality that we can talk the language of union. The principle of religious equality is reaffirmed in that first paragraph of the Declaration, though put in a less familiar style of dress, for, contrary to present-day fashion, it has been lengthened rather than shortened.

Paragraph *two* deals with the changes effected in the

¹ See p. 31.

constitution and relation to the State of the Church of Scotland by the Acts of 1921 and 1925. After examining the relation of the Church of Scotland to the State under the Act of 1921 and the adopted Articles, counsel say that the Church of Scotland is no longer controlled by the State in matters spiritual. It has achieved its spiritual independence. Turning to the question of patrimony, and dealing with the relation of the Church of Scotland to the State upon that issue under the 1925 Act, counsel say that the "Act of 1925 has placed the Church's revenues and property in an entirely new position. It now holds its patrimonial rights in entire independence of the State. It has no right to make any claim upon the State for support or maintenance, and the State no longer recognises any patrimonial obligations towards the Church other than the obligation which the State equally recognises towards the property of the United Free Church."

Taking these two things together—that the Church of Scotland is no longer controlled by the State in matters spiritual, and is no longer maintained by the State, counsel conclude: "That the Establishment principle is no longer an article of religious belief and obligation in the Church of Scotland. The corporate profession and teaching of that Church do not, in our view, include the principle as an article of faith that it is the right and duty of the State to support an establishment of religion." Just because great value is attached to this part of counsel's Opinion, the conclusion, reached by counsel, is embodied in the second paragraph of the Draft Declaration.

In the *third* paragraph the remaining special relations of the Church of Scotland with the State are dealt with. They are not among the essentials of the Church, and they are not matters of religious belief and obligation under the constitution of that Church.

Applying our principles of spiritual freedom and religious equality to the present relation of the Church

of Scotland to the State, our Church declares that there is in that present relation to the State nothing which is inconsistent with her constitution and principles.

If our Church enacts this Declaration, under the Barrier Act, then she will carry it into the union as an act reaffirming and safeguarding her principles.

THE WAY TO UNION OPEN

Sir, keeping the Opinion of counsel in view, and taking up our position upon this threefold understanding: first, that the civil establishment, as a system in which one Church was recognised, maintained in a privileged position, and controlled by the State, is at an end; secondly, that the Acts 1921 and 1925 have so altered the relations between the Church of Scotland and the State that, in uniting with that Church, the United Free Church will not sacrifice its identity; and thirdly, that this proposed Declaration, when enacted by our Church, not only reaffirms our Church's principles of spiritual freedom and religious equality, but safeguards and maintains them: sir, upon that threefold understanding, and availing ourselves at the same time of the Provisional Proposals for the Maintenance of the Ministry, we find it possible to enter the proposed union.

It is not that those for whom I speak have become masters in the art of ecclesiastical camouflage and have simply adopted the attitude of the majority, but it is because a real accommodation has been reached. Under the Provisional Proposals we preserve and assert and practise our New Testament principles of self-support, and by means of this Declaration we reaffirm and safeguard our principles of spiritual freedom and religious equality. I am not ashamed to commend this accommodation; and I would ask, if this accommodation is unacceptable, what are the alternatives before us? Some of us have tried hard to weigh these alternatives

and their issues for the United Free Church and their effects upon the religious life of Scotland, and we have come back resolved more than ever to favour a scheme, not wholly to our liking, but which preserves our principles, satisfies conscience, and surrenders nothing which is material and essential to a Church that is Reformed, evangelical and free.

DISLIKES, MEMORIES AND FEARS

Sir, I hesitate, but this House will forgive a word more. In looking at the situation from our point of view it has been very difficult to arrive at the decision now reached, because all the difficulties connected with union do not lie in documents and their interpretation, or in the questions of the proper relations of the Church to the State. They lie in another world, and they affect other relationships. There are impediments to union in our dislikes and preferences, in our memories of the past and fears of the future. They may have been whispered in private, but not spoken in public. I may have as many of them as any man in this House; and men in the Church of Scotland may have their portion of these things. But, sir, if this union is to go on and is to be made what it ought to be, then these dislikes and memories and fears must not be allowed to work injury to this enterprise. To these things we have to say that the Basis and Plan of Union preserve not only the principles of the gospel and of the Reformed Faith common to the two Churches, but they preserve also our distinctive principles, and further, that it contains nothing which is such an offence to conscience that we cannot enter the union. To our dislikes and memories and fears we have to say that as far as we see—and we have wished to see clearly—the way of union is God's way for us.

THE TOUCH OF THE DIVINE LOVE

After a spiritual battle we have reached that point, although we may still hesitate to be dogmatic upon it. But if it is God's will for us—and we think it is—then we do not wish to be dragged along that road unwillingly. Further, if it is the way of God's will for us, it is the way wherein we are to do service for God in Scotland, and therefore we desire to see no mere external union of the two Churches. Such a purely external ecclesiastical rearrangement of forces would fail before the tasks confronting the Church, and prove a bitter disappointment. This enterprise requires the gracious, powerful touch of God. If the completion of that engineering feat, the Forth Bridge, required the touch of God, much more so the completion of this enterprise. Beginning simultaneously at the two pillars upon which it rests, the central span of the bridge had been built up, plate to plate and angle to angle. The day came for finishing the span by bringing into position the uniting plates and angles at the apex. The parts were brought into position; the lower bolts could be driven home but not the upper and final bolts. The rivet-holes were not exactly opposite to each other. God's help was needed, and God's help was at hand. The warm days of June were upon the builders, and the bridge was bathed in the hot sunshine. The arms of the steel arch, under the heat of God's sun, expanded, and the bolts were driven home and the great span was completed. The warming touch of the divine love would not only correct our dislikes and memories and fears, but it would give to the builders of this enterprise a new devotion to the Lord and a new vision and passion for Scotland's good, and it would give us a united Church by means of which the riches of the Christian redemption would be carried not only to every part of Scotland but to many a part of God's unevangelised world.

SHERIFF J. L. WARK'S SPEECH

SHERIFF J. L. WARK, Elder, Edinburgh, said that if he ventured for a moment to intervene in the debate it was not from any want of sympathy with those who continued to think that there were still difficulties in the way of Union, but because he found himself heartily in agreement with the principle, which Mr Barr preached but did not practice, that they did not advance the discussion by repeating generalities about establishment and freedom and religious equality, but that they must get down to concrete facts. He suggested to those brethren who found themselves still in the minority that, if they faced the facts of the situation with regard to the Church of Scotland as they now were, their difficulties ought not to be such as to prevent them in conscience in going forward to Union. Some of them had been so accustomed to endeavour by political or other means to assist the Church of Scotland to escape from the relation with the State by one particular door, that perhaps they scarcely realised that she had herself achieved her liberty by another door.

VESTIGES OF ESTABLISHMENT

He thought that they were entitled to ask their friends of the Minority that they should condescend upon particulars and say what was still left in the relations between the Church of Scotland and the State which they found to be an obstacle to Union. It could not be said that the State was still under obligation to support the Church because that had been ended by the Act of 1925.

THE LAND CHARGE

It was objected, however, that although in 1925 the State gave to the Church her property as her own, part

of that property consisted of a charge upon the land. If the property of the Church of Scotland was in the form of an annual charge, the charge must be upon somebody. What was there to offend the conscience of a United Free Churchman that that somebody was a landowner. It did not seem to him that there was the slightest difference in principle between such a form of property in the hands of the Church of Scotland and any feu-duty which was held by the United Free Church. What were the other vestiges of establishment which still troubled the Minority? He would say nothing about the chaplains, because Mr Barr had said nothing about them.

THE COLLEGES

But with reference to the question of the Colleges, it had been said that although an understanding had been come to, it was by no means certain what Parliament would say to it. Did anyone in this House believe that if the Universities and the United Church framed a scheme and came with it to Parliament, any Government or any Parliament would refuse to give that scheme sanction?

THE LORD HIGH COMMISSIONER

The third thing disturbing Mr Barr was not the Lord High Commissioner, but the source of payment of the Lord High Commissioner's salary. If they were content and gratified that His Majesty should continue to send his representative as a visitor to the Assembly, why should they worry themselves as to the particular Fund on which his salary was charged in the National accounts?

THE CHURCH COURTS

The last and most plausible point made by Mr Barr was with reference to the Church Courts which, he said, counsel had regarded as being a substantial relic of the old establishment. Mr Barr had quoted an opinion by an eminent authority on the Church of Scotland, the

late Dr Mair. He would remind the House that what was said by Dr Mair long prior to 1921 could have no relevance for the present discussion. It was true that prior to that date the Church Courts were an essential and important part of the machinery of establishment. Their constitution was fixed by statute and the Church was powerless to modify or alter that constitution. But, as counsel had pointed out, by the Act of 1921 "all that was swept away." Might he remind the House of what counsel said was now the position of the Courts of the Church of Scotland? "They are spiritual, not secular courts, and the Church of Scotland claims (and the claim is conceded) the right and power, subject to no civil authority, to legislate and to adjudicate finally in all matters of Government in the Church, including the right to determine all questions concerning the constitution and membership of its Courts." Was not that precisely the right which they in the United Free Church claimed for themselves?

A NEW CHURCH

The fact was that by the Acts of 1921 and 1925 an entirely new Church had arisen in Scotland, something which was absolutely different in its relation to the State, if it still had any, from what they were accustomed to call the Established Church—a Church which had a right to its own property, a Church which had no claim upon the State for support, and a Church to which had been granted the right to frame its own constitution within the limits which it itself set. One thing was said by the brethren of the Minority which he confessed he was not able to understand. They seemed to have the difficulty that even if the Church of Scotland were free from its old relation to the State, somehow that freedom was impinged upon or was sullied because the fact was recorded in the schedule of an Act of Parliament. He had never been able to understand how any man or

Church or institution could be less free because the fact of its freedom was recorded on the Statute Book of the realm. When they came to examine the particulars which the brethren of the Minority said still troubled them, he did appeal to them to say whether their difficulties were of such substance and importance as really to justify themselves as causes of separation. He submitted that they were not.

PRINCIPAL MARTIN'S SPEECH

PRINCIPAL MARTIN, replying on the discussion, said that they had been engaged in a memorable, an historic debate. They had all realised, he thought, that the time for argument on this high topic was really over. They were in the valley of decision with regard to it. The time for action was upon them; and the result had been a discussion, perhaps the gravest and most fraught with consequence of any since their Church first addressed her mind to this matter, now twenty years ago.

IS SEPARATION OVER THIS UNION JUSTIFIED?

He would refer to just one point. He took it that the serious question with which they would all leave the Assembly that morning, and which, in spite of the encouraging nature of the discussion as a whole, would weigh heavily upon their hearts, was whether in going forward into this great reconstruction they were to hold together as a United Free Church. He might put it differently: On what terms would Christ, their Lord, have them live together, worship together, and work together for His Kingdom in Scotland in the circumstances to-day? That really was no new question to arise in Scottish Church history, and they had a strangely anomalous record with respect to the answer

that had been given to it. On the plane of doctrine their fathers had taken high ground on the matter. He imagined that, in the main, they would have suffered nothing to divide the Church of Christ except fundamental doctrinal error or heresy. On the other hand, practically and historically, division had been permitted for insufficient reasons enough. The House would believe that he was not thinking now of the great divisions of the past. They were not there to repent of 1733 and 1843. These separations had been fraught with incalculable benefit to the freedom of Christ's Church and also to the evangelical religion of the land. He was thinking of the smaller divisions and sub-divisions which had so diversified their ecclesiastical history, and which nobody at the present day defended. If any secession, such as was now threatened, was actually to take place, under which category would it fall? He knew that at that point they entered the realm of conscience, where each must take his own decision and abide by it. Nevertheless, they were there to take counsel with one another, and he hoped that those who might be uncertain as to what duty required of them, and who were feeling their responsibility deeply, would allow him to point to one or two considerations which seemed to him to bear upon the matter. The first was this :

PRINCIPLES NOT ALWAYS SERVED BY SEPARATION

Their history in connection with the divisions and sub-divisions of the Reformed Church of Scotland taught many lessons, and among them that it was not always in the interest of the principles they were concerned to conserve that they should make a separation in defence of them. He would take just one illustration. One of the great ecclesiastical figures of the first half of last century had been that of Dr John Brown, first of Biggar, and later of Broughton Place, Edinburgh. He rather thought that he had heard Mr Barr echo the

eloquent sentiments of that redoubtable Voluntary on the floor of their Assembly. Now, Brown had had experience of two reunions. The first was that of 1820, and on various grounds he did not like it. For one thing, he thought that there was too much of the establishment principle carried into it. But did he on that account refuse to fall in with his brethren? No! There had at the time been a secession of those who for other reasons were disaffected; but the tiny "Synod of Protesters" speedily withered away. Brown, on the other hand, had entered the union, under a protest which saved his conscience; had exercised his rights and all his great influence over his brethren in the years that followed; and in the second union he lived to see, that of the Secession and the Relief in 1847, Voluntaryism gained the day. He had carried all before him! It was a precedent which he commended to the attention of the Minority brethren. He would like Mr Barr himself to come with them into the Union now in view, and he would do them good.

TRUE PRINCIPLES IMPERISHABLE

The second consideration he would touch on was this. He gathered from Mr Weir that his answer to him here would be: "That is all very well, but you are asking of us too much. You ask me to bring 'the trumpet of Voluntaryism' with me, and to 'hang it in the hall' for good. We are indeed to bring our principles on with us into the united Church; but there they would find no scope, and in a short time they are bound in the nature of things to be extinguished." He ventured to ask Mr Weir to reconsider that a little. What were their Church principles? He gave full credit to the brethren who had spoken on the Minority side for cherishing what they conscientiously believed to be the historic principles of their Church. Church principles, however—what truly deserved to be so

described—were not personal preferences of any kind. Neither were they peculiarities which belonged to this or that denomination of the Christian Church. If they were indeed worthy of the name they were aspects of the mind of Christ! They were expressions of the will of Christ—modes in which Christ would have His Church on earth organise herself and carry on her work—and if that was so, then they could not be extinguished. It was impossible. They were bound, so long as Christ worked by His Spirit in His Church, to live and spread like leaven. They on the Majority side took it that in the transformed position of the Church of Scotland to-day they had a great illustration of that, and they might confidently expect that the future would illustrate it still further. It was not for him to read a homily about this to his brethren on the other side, but thirty-one years ago an utterance had been heard in that place, dealing with the very point now under consideration, to which he ventured to direct the attention of the Assembly. Their great leader, Principal Rainy, faced by an opposition of which they were having something like the echo that day, had said with reference to the Union then contemplated and what might follow upon it, that he “did not know how the situation might shape itself in the providence of God. . . . It might lead that Church after some interval of time in directions which he, at the present time and with his present point of view, was not disposed to regard with satisfaction; but that did not hinder him at all from desiring and rejoicing in the union. His principles would have a place in the united Church, and he would say to his friends who had difficulties: Did they not believe that their principles had life in them, a future for them, and that the providence of God was certain to prepare situations that would throw light into men’s minds in connection with the matter? He believed that in connection with his principles, whether they were to prove subject to cor-

rection or to prove subject in the future to expansion; and was it so apart from the point of view of his friends that the Church of the future, their united Church . . . should be so far detached from mere traditional ways of thinking as to be more open to learn those lessons which God had prepared to teach the Presbyterians of Scotland in some future and happier day?" That was a voice they would all still listen to. "He, being dead, yet speaketh."

THE CALL OF THE PRESENT AND THE FUTURE

At the same time, he would be sorry, in determining his personal duty in connection with a great public cause of that sort, to go to the past alone for guidance, to listen only to the lips of even the wisest for direction and instruction. That was the last thing that any of their great leaders in the past would have desired. Had the present no counsel of its own to give them? had the future no imperious direction to suggest? Mr Weir, with the experience of a long and fruitful ministry behind him, Mr Barr, as their former Home Mission Secretary taking all Scotland as his parish, knew the religious temper of the present generation as he for one could hardly perhaps be expected to know it; but they all realised that there had never been a time when it was harder, first, to awaken the religious sense in men and women, and, next, to answer the ethical and religious questions to which, when awakened, it gave rise. In other words, the summons was to rally to the Church's proper task. Were two centuries not enough for the Scottish Church to have given to the discussion of the questions they were still that day engaged upon? The present, and the future that was drawing on, called upon them to concentrate all their thought and energy upon gathering into the Kingdom of God those who had wandered far from Him and from righteousness, whether in their own beloved land or in their great mission fields across the seas.

DECLARATION

referred to in the above Speeches

The General Assembly with consent of a majority of Presbyteries

CONSIDERING the inherent powers of the United Free Church of Scotland to determine and declare her constitution and laws as such powers were declared anew and enacted in the Act of Assembly anent the Spiritual Independence of the Church in 1906, and having in view

- (1) the principles of spiritual freedom for which this Church has always contended, and its well-known position as to any branch of the Church being placed in a position of privilege by enactment of the State, as these were set forth in the Report which was approved by the General Assembly of 1909 when the Churches agreed to enter into unrestricted conference on the existing ecclesiastical situation and on the main causes which keep the Churches apart ;
- (2) the changes effected in the constitution and relation to the State of the Church of Scotland by the Acts of 1921 and 1925, and in particular that Article VI. of the ARTICLES DECLARATORY OF THE CONSTITUTION OF THE CHURCH OF SCOTLAND IN MATTERS SPIRITUAL, which sets forth the principle of the National Recognition of Religion, does not make it an article of religious belief and obligation in the Church of Scotland that it is the right and duty of the State to maintain and support an establishment of religion, and this right and duty are not implied in nor required by its constitution;
- (3) that any special relations of the Church of Scotland with the State still remaining are not among the essentials of the Church and are not matter of religious belief and obligation under the constitution of that Church.

HEREBY ENACT, DETERMINE, and DECLARE that there is in the relations of the Church of Scotland to the State nothing which is inconsistent with the constitution of the United Free Church of Scotland and the principles thereof.

Note to Paragraph (1) above, being Extract from Report of Committee on Conference with the Church of Scotland to the General Assembly of 1909, page 7.

"It is indeed intimated that steps with a view to Reunion, if they are to carry with them the approval of the Church of Scotland, must be 'consistent with the continuance of the national recognition of religion.' In unrestricted conference, however, there would manifestly be liberty to discuss such a matter in all its bearings, so that this statement does not interpose any barrier to the freest exchange of views on the existing situation and the practical measures that may appear necessary for its readjustment. The religious obligations of organised society and of the civil authority are matters susceptible, under modern conditions, of various interpretations, and might well form an important subject of conference between Churches which are equally anxious to bring the influences of religion to bear upon every phase of the national life. And this Church, on its part, cannot be regarded as imposing any restriction upon a frank conference regarding the present ecclesiastical situation, either by the declaration of last Assembly that acceptable proposals in the direction of Union must be consistent with those principles of spiritual freedom for which it has always contended, and which it has recently had occasion to reaffirm (see Appendix III., Act anent Spiritual Independence); or in its adherence to its well-known position as to any branch of the Church being placed in a position of privilege by enactment of the State. Such liberty on both sides must necessarily be recognised in any conference which could be expected to further the great end of the Reunion of Scottish Presbyterianism."

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